

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: English

No.: ICC-01/05-01/13
Date: 29 September 2014

PRE-TRIAL CHAMBER II

Before: Judge Cuno Tarfusser, Single Judge

SITUATION IN THE CENTRAL AFRICAN REPUBLIC

IN THE CASE OF

***THE PROSECUTOR v. JEAN-PIERRE BEMBA GOMBO, AIMÉ KILOLO
MUSAMBA, JEAN-JACQUES MANGENDA KABONGO, FIDÈLE BABALA
WANDU and NARCISSE ARIDO***

Public

**With 2 Confidential annexes *ex parte* only available to the Defence for Mr Fidèle
Babala Wandu**

Transmission of documents

Source: Registry

Document to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

The Office of the Prosecutor

Ms Fatou Bensouda

Mr James Stewart

Mr Kweku Vanderpuye

Counsel for Mr Jean-Pierre Bemba

Gombo (ICC-01/05-01/13)

Mr Nicholas Kaufman

Counsel for Mr Aimé Kilolo Musamba

Mr Paul Djunga

**Counsel for Mr Jean-Jaques Mangenda
Kabongo**

Mr Jean Flamme

Counsel for Mr Fidèle Babala Wandu

Mr Jean-Pierre Kilenda Kakengi Basila

Counsel for Mr Narcisse Arido

Mr Goran Sluiter

Legal Representatives of the Victims

Legal Representatives of the Applicants

Unrepresented Victims

**Unrepresented Applicants
(Participation/Reparation)**

**The Office of Public Counsel for
Victims**

**The Office of Public Counsel for the
Defence**

States' Representatives

Amicus Curiae

REGISTRY

Registrar

Mr Herman Von Hebel

Counsel Support Section

Victims and Witnesses Unit

Detention Section

**Victims Participation and Reparations
Section**

Other

Trial Chamber III

**Counsel for the Defence of Mr Jean-
Pierre Bemba Gombo (ICC-01/05-01/08)**

Mr Peter Haynes QC

Ms Kate Gibson

Ms Melinda Taylor

The Registrar of the International Criminal Court (the “Court”);

NOTING regulation 23*bis* (2) of the Regulations of the Court;

NOTING the *Decision on “Transmission of a Submission from the Defence for Mr. Fidèle Babala Wandu in case ICC-01/05-01/13”* (“the Decision”) issued by Trial Chamber III on 21 August 2014;¹

CONSIDERING that in its Decision, Trial Chamber III directs the Defence for Mr Bemba in the *main case* (ICC-01/05-01/08) to inform the Registry by 28 August 2014 whether additional redactions to the documents listed in paragraph 14(ii) of the Decision are necessary, or whether the documents may be transmitted to the record of the case ICC-01/05-01/13 without additional redactions;²

CONSIDERING that in its Decision, Trial Chamber III also directs the Registry to transmit the above mentioned documents to the record of the case ICC-01/05-01/13 in line with the information provided by the Defence;³

CONSIDERING that the Defence for Mr Bemba in the *main case* has confirmed that Mr Bemba has authorised the transmission of conversations between himself and Mr Babala reflected in documents ICC-01/05-01/08-346-Conf-Anx2 and ICC-01/05-01/08-346-Conf-Anx4 albeit in redacted form;

CONSIDERING that the Defence for Mr Bemba in the *main case* has confirmed that the remaining documents should not be transmitted into the case file of ICC-01/05-01/13;

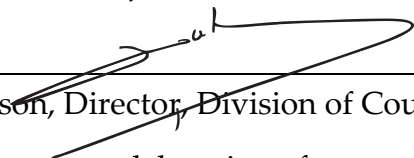
¹ ICC-01/05-01/08-3118.

² *Ibid*, at p. 9.

³ *Id*.

THEREFORE transmits herein the confidential redacted versions of ICC-01/05-01/08-346-Conf-Anx2 as Annex A, and ICC-01/05-01/08-346-Conf-Anx4 as Annex B to the present filing for inclusion in the case record of ICC-01/05-01/13 *ex parte* only available to the Defence for Mr Fidèle Babala Wandu in accordance with the Decision⁴.

RESPECTFULLY SUBMITTED,



Marc Dubuisson, Director, Division of Court Services
per delegation of
Herman Von Hebel, Registrar

Dated this 29 September 2014

At The Hague, The Netherlands

⁴ ICC-01/05-01/08-3118, paras 13 and 14 (ii).